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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,724	12/01/2000	Kiran Gurudutt Bellare	ORCL5672	5312
53156 7590 01/10/2008 YOUNG LAW FIRM, P.C. 4370 ALPINE RD. STE. 106 PORTOLA VALLEY, CA 94028			EXAMINER CHOUDHURY, AZIZUL Q	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/728,724

Applicant(s)

BELLARE ET AL.

Examiner

AZIZUL CHOUDHURY

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/25/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 11-20, 23, 24 and 27-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11-20, 23-24 and 27-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

***Detailed Action***

This office action is in response to the correspondence received on October 25, 2007.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 11-20, 23-24 and 27-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Tso et al (US Patent No: 6,421,733), hereafter referred to as Tso.

1. With regards to claim 1, Tso teaches a method for a first server to select content to be displayed on a computer accessing a Web site of a second server, comprising the steps of: collecting user identification data from the computer accessing the Web site (*see column 15, lines 38-41, Tso*); sending the collected user identification data to the first server (*first server is equivalent to Tso's proxy/transcoder server; see column 15, lines 29-49, Tso*); retrieving user information corresponding to the user identification data from a database of user information accessible to the first server (*equivalent to server side cache; see column 4, lines 38-47, Tso*); applying the retrieved user information to a rule base including a plurality of rules (*see column 7, line 50, Tso*); selecting advertising to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of rules

(see column 7, line 47, Tso); sending an address of the selected advertising to the accessing computer, and causing the accessing computer Web site to fetch the selected advertising from the address sent to the accessing computer and to integrate display the fetched advertising into a currently displayed page of the Web site (see column 8, lines 13-21, Tso).

2. With regards to claims 2, 34 and 36, Tso teaches the method wherein at least one of the plurality of rules is customizable (see column 7, lines 43-48 and column 8, lines 13-21, Tso).

With regards to claims 3, 19 and 37, Tso teaches the method wherein the user identification data is included in at least one file stored on the accessing computer (see column 7, lines 21-29, Tso).

3. With regards to claims 4, 20 and 38, Tso teaches the method wherein the at least one file is configured as a cookie (see column 11, line 53, Tso).
4. With regards to claim 11, Tso teaches the method wherein the second sending step is carried out by the second server (see column 2, lines 50-55, Tso).

5. With regards to claims 12, 28 and 40, Tso teaches the method wherein the selected advertising includes at least one of a product recommendation and a link to another Web site (*see column 8, lines 13-21, Tso*).
6. With regards to claims 13, 29 and 41, Tso teaches the method wherein the selected advertising includes a combination of the product recommendation and a deep link into said another Web site where the recommended product is featured (*see column 8, line 51 – column 9, line 10, Tso*).
7. With regards to claims 14, 30 and 42, Tso teaches the method wherein an applicability of at least one of the plurality of rules of the rule base is selectively limited by at least one parameter (*see column 7, lines 43-48 and column 8, lines 13-21, Tso*).
8. With regards to claims 15, 31 and 43, Tso teaches the method wherein the at least one parameter includes time, date, geography, age, sex, income level, browser type and record of past purchases or inquiries (*see column 7, lines 43-60 and column 8, lines 13-21, Tso*).

9. With regards to claims 16, 32 and 44, Tso teaches the method further comprising the step of updating the database of user information based upon an activity of a user of the accessing computer (*see column 7, line 15 - column 8, line 9, Tso*).

10. With regards to claims 17 and 33, Tso teaches the method wherein the first sending step sends a request for the selected advertising along with the collected user identification data (*see column 8, lines 13-21, Tso*).

11. With regards to claim 18, Tso teaches a system comprising: a merchant Web server; an affiliate Web server, the affiliate Web server being coupled to the merchant Web server over a computer network (*affiliate web server equivalent to Tso's proxy/transcoder server; see column 15, lines 38-41, Tso*); a database of user information accessible to the merchant Web server (*equivalent to server side cache; see column 4, lines 38-47, Tso*); a rule base including a plurality of configurable rules, the rule base being accessible to the merchant Web server (*see column 7, line 50, Tso*); a first process to collect a user identification from a computer accessing a Web site controlled by the affiliate Web server and for sending the collected user identification to the merchant Web server along with a request for content (*see column 7, line 47, Tso*); a second process for retrieving user information from the database corresponding to the collected user identification (*equivalent to server side cache; see column 4, lines 38-47, Tso*); a

third process for applying user information obtained from the database to the plurality of rules and for returning an address of selected advertising in response to the request for content, the advertising being selected based upon a result of applying the user information to the plurality of rules, and a fourth process to fetch the selected advertising from the returned address and to cause the fetched advertising to be integrated into the Web site controlled by the affiliate server (see column 8, lines 13-21, Tso).

12. With regards to claim 23, Tso teaches the system wherein the affiliate Web server is configured to carry out the fourth process by transmitting the selected advertising to the accessing computer and wherein a browser running on the accessing computer is configured to integrate the fetched advertising into the Web site displayed to the user (see column 7, lines 43-48 and column 8, lines 13-21, Tso).

13. With regard to claims 24 and 39, Tso teaches the system wherein the affiliate Web server is configured to transmit the selected content via HTTP and TCP/IP (see column 3, lines 30-44, Tso).

14. With regards to claim 27, Tso teaches the system wherein the accessing computer configured to carry out the fourth process (*see column 7, lines 43-48 and column 8, lines 13-21, Tso*).
15. With regards to claim 35, Tso teaches a method of delivering personalized advertising from a first server to a computer accessing a second server, comprising the steps of: receiving a request for the personalized advertising from the accessing computer, the accessing computer having accessed a Web page that includes embedded code configured to send the request for personalized advertising to the first server over a computer network along with selected user identification data (*see column 8, lines 13-21, Tso*); retrieving user information corresponding to at least one of the user identification data and the accessed Web page from a database of user information accessible to the first server (*see column 15, lines 29-41, Tso*); applying the retrieved user information to a rule base including a plurality of rules (*see column 7, line 50, Tso*); selecting advertising to be posted in the accessed Web page based upon a result of the application of the retrieved user information to at least one of the plurality of rules, and sending an address of the selected content to the accessing computer for posting into the accessed Web page (*see column 8, lines 13-21, Tso*).

**Response to Arguments**



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Applicant's arguments with respect to claims 1-4, 11-20, 23-24 and 27-44 have been considered but are moot in view of the new ground(s) of rejection.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AZIZUL CHOUDHURY whose telephone number is (571)272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

  
PATRICE WINDER  
PRIMARY EXAMINER